

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

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SPECIAL CIVIL APPLICATION No 2813 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
1 to 5 No

GAS AUTHORITY OF INDIA LTD.

Versus

STATE OF GUJARAT

Appearance:

Mr.Vyas for

M/S TRIVEDI & GUPTA for Petitioner

Ms.V.K.Parekh for Mr.K.N.Shastri for

MR DA BAMBHANIA for Respondent No. 1 & 2

MR MB FAROOQUI for Respondent No. 3

No one appears for respondent No.4 despite service of the notice.

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 04/09/97

ORAL JUDGEMENT

Mr.Vyas, learned counsel for the petitioner, seeks to delete respondent No.4 from the array of respondents. Accordingly respondent No.4 is deleted from

the array of respondents.

Rule. Ms. Parekh waives service of rule on behalf of respondents Nos.1 and 2 and Mr. Farooqui waives service of rule on behalf of respondent No.3.

The parties are not at dispute that the appropriate Government with regard to Gas Authority of India Ltd. is the Central Government. In this view of the matter, Reference could not be made by the State Government and the Reference under the Industrial Disputes Act is required to be made by the Central Government, which is the appropriate Government. This Special Civil Application is accordingly allowed. The impugned order dated 3.1.97 passed by the Assistant Labour Commissioner, Godhra, Government of Gujarat is hereby quashed and set aside. Concerned workman may move Central Government in accordance with law, if at all the Reference is sought to be made. Rule is made absolute in the terms, as aforesaid. No order as to costs.